

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

In Re Ethicon Pelvic Repair Systems  
Product Liability Litigation

MDL No. 2327

The Honorable Joseph R. Goodwin

This Document Applies to:  
All Cases

**PETITION FOR APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE**

Pursuant to the Court's February 29, 2012, Order, I respectfully submit this application for appointment to the Plaintiffs' Steering Committee.

**PROFESSIONAL EXPERIENCE**

I am a partner with the law firm of Lockridge Grindal Nauen, P.L.L.P. ("LGN") in Minneapolis, Minnesota. Since graduating from law school in 1996, I have devoted the vast majority of my career to representing plaintiffs in mass tort and complex litigations, with a particular emphasis on pharmaceutical and medical device litigation. My recent experience includes serving on Plaintiffs' Steering Committees in *In re Levaquin Products Liability Litig.*, MDL No. 1943 (D. Minn.) and *In re NuvaRing Products Liability Litig.*, MDL No. 1964 (E.D. Mo.). I have also served on numerous MDL Committees, including discovery, deposition, briefing, learned intermediary, settlement, claims, and/or fee committees in the following litigations:<sup>1</sup>

- *In Re Medtronic, Inc. Sprint Fidelis Leads Products Liability Litig.*, MDL 08-1905 (D. Minn.)
- *In re: Medtronic, Inc., Implantable Defibrillators Products Liability Litig.*, MDL No. 05-1726 (JMR/AJB)

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<sup>1</sup> My firm was also actively involved in *In re Rezulin Product Liability Litig.*, MDL 1348 (S.D. N.Y.); *In re Serzone Products Liability Litig.*, MDL 1477 (S.D. W.V.); and *In Re Propulsid Products Liability Litig.*, MDL 1355 (E.D. LA).

- *In re Guidant Corp. Implantable Defibrillators Products Liability Litig.*, MDL No. 05-1708 (DWF/AJB)
- *In re Meridia Products Liability Litig.*, MDL 1481 (N.D. Ohio)
- *In re Baycol Products Liability Litig.*, MDL No. 1431 (D. Minn.)

In addition to my experience in pharmaceutical and medical device litigation, I have served on trial teams in two national class actions, both of which were tried to verdict. *In Peterson v. BASF Corp.*, Civil No. C2-97-295 (Norman County District Court, Minnesota), we secured a jury verdict for a nation-wide class seeking redress for defendants' marketing of its herbicide products. After multiple state appellate opinions and two trips to the U.S. Supreme Court, a substantial judgment was affirmed and paid to farmers throughout the United States. Additionally, I was a member of the trial team representing a certified sub-class as part of a nationwide antitrust trial in *In re Laminates* that was tried to verdict in the United States District Court for the Southern District of New York. I also currently serve as Plaintiffs' Co-Lead Counsel in *In re American Medical Systems, Inc.*, Consolidated Court File No. 27-cv-11-3933 (Hennepin County District Court, Minnesota).

I am a frequent lecturer on topics including the learned intermediary doctrine, electronic discovery, and related issues regarding pharmaceutical and medical device litigation. I am the current Chair of the American Association for Justice (AAJ) Section on Toxic, Environmental, and Pharmaceutical Torts (STEP), Co-Chair of the AAJ Electronic Discovery Committee and former Chair of the AAJ Women's Trial Lawyer Caucus. I also serve on the Executive Committee of the Minnesota Association for Justice.

#### **Availability/Commitment to the Litigation & Ability to Work Cooperatively**

I am personally willing and available to commit substantial resources, effort and energy to prosecute these consolidated actions and to work cooperatively with all counsel towards a

successful resolution of this matter. In my position as Co-Lead Counsel of the consolidated Minnesota State Court American Medical Systems (“AMS”) Litigation, I have worked cooperatively and coordinated with numerous lawyers from across the country to negotiate fact sheets, ESI protocols, and a proposed protective order for the benefit of numerous pelvic mesh claimants. I have also dedicated staff and associates to assist in these endeavors.

I personally represent numerous individual pelvic mesh claimants and have cases currently pending in each of the pelvic repair system multi-district litigations currently before this Court. Due to the complex nature of this litigation, a Plaintiffs’ Steering Committee (PSC) comprised of numerous and diverse counsel who are well versed in pharmaceutical and complex litigation will assist in accomplishing the just and expeditious resolution of the litigation. I respectfully request that the Court consider the parties’ input regarding formation of the PSC and have reviewed and support Plaintiffs’ Proposed Counsel Organizational Structure Plan filed with the Court for MDL 2325, 2326, and 2327 on March 19, 2012.

Dated: March 30, 2012

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

By: s/ Yvonne M. Flaherty  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2012, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

By: s/ Yvonne M. Flaherty

**UNITED STATES DISTRICT COURT**

**District of Minnesota**

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**CERTIFICATE OF  
GOOD STANDING**

I, Richard D. Sletten, Clerk of this Court, certify that  
Yvonne M. Flaherty, Bar # 267600, was duly admitted  
to practice in this Court on May 29, 1997, and is in  
good standing as a member of the Bar of this Court.

Dated at Minneapolis, Minnesota, on March 20, 2012.

RICHARD D. SLETTEN, CLERK

  
(By) Deborah D. Bell, Deputy Clerk